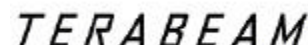


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The logo for Terabeam, featuring the word "TERABEAM" in a stylized, bold, sans-serif font. Above the text is a horizontal line with a blue-to-white gradient.

August 12, 2003

**VIA E-MAIL**

Bryan Tramont  
Senior Legal Advisor  
Chairman Michael Powell  
Federal Communications Commission  
445 12 th Street, S.W.  
Washington, D.C. 20554

Re: **Ex Parte**  
**In the Matter of Allocations and Service Rules**  
**for the 71-76 GHz, 81-86 GHz and 92-95 GHz Bands; WT Docket No. 02-**  
**146**

Dear Mr. Tramont:

Thank you for taking the time to meet with me, as part of the Wireless Communications Association, Inc. ("WCAI") delegation last week, concerning the above referenced proceeding.

Terabeam is pleased that you seemed to appreciate that potential users of the 70 and 80 GHz band will be reluctant to invest in this exciting broadband technology unless they are protected from harmful interference, and that, consequently, the allocation of the bands for unlicensed use would be inappropriate.

One alternative that you mentioned specifically is the use of non-exclusive licenses. Terabeam believes this is a reasonable approach, along with coordinated use of the spectrum. That is, licensees could obtain an authorization that generally permits the use of the bands over a broad geographic area, but operation of particular links would only be permitted once existing Part 101 style coordination (albeit on a more expedited basis) was completed. Preferably, the authorization would permit operation on a nationwide basis, subject to link-specific coordination. The one or more entities responsible for coordinating the use of particular links would perform some of the functions that band managers perform in other spectrum. However, we believe that it is inappropriate for the FCC to issue licenses permitting band management of this spectrum, for the reasons addressed in the WCAI materials that we distributed at our meeting with you. The approach that we have suggested would allow the public to enjoy the spectrum efficiencies, noted in the Spectrum Policy Task Force Report, of band management, without the need for band



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manager licensing, the use of which is unnecessary and even detrimental to the efficient utilization of this spectrum.

Terabeam appreciates your attention to this matter. We would be pleased to discuss the proposal mentioned above in greater detail, as well as any other element of this proceeding, if you have further questions.

Pursuant to the provisions of Section 1.1206 of the FCC's rules, a copy of this letter have been submitted to the office of the Secretary for inclusion in the record of this proceeding.

Sincerely,

/s/

Scott Morris

SM:sf